



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Office of Regional Counsel
UST, Asbestos, Lead, Pesticide Branch
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August 4, 2011

Via email

David L. Braverman, Esq.
Braverman Kaskey
One Liberty Place, 56th Floor
Philadelphia, PA 19103

RE: Arsenal Business Center
Comments on Survey Work Plan and Buildings 143 and 147A

Dear Mr. Braverman:

Included with this correspondence is the latest version of the Survey Work Plan (clean copy and markup copy). Provided Arsenal Associates addresses the comments listed in the Survey Work Plan, complete the missing blanks (i.e. Exhibit numbers, etc.), and does not otherwise add or delete anything else then EPA is prepared to approve the Survey Work Plan. Please review the documents and provide the Survey Work Plan, along with applicable exhibits and/or attachment, within five (5) business days from the date of this letter. To expedite the approval of the Survey Work Plan, I would advise having Mr. Hankin and/or Criterion consult with Christine Convery as they are making changes to the Survey Work Plan.

Also, I wanted to call to your attention Building 143. During Ms. Convery site visit on April 19, 2011, this building had intact galbestos siding (60% chrysotile); however, during a recent visit on July 6, 2011, Ms. Convery observed that all siding from the right and front of the building had been removed and appeared to be in a dumpster directly to the left of the building. Further, in the Survey Work Plan, Arsenal Associates states,

“Building #143 was inspected by Eagle in 2011 and certain ACM was identified . . . the time frame for the commencement and completion of the project has passed due to the suspension of work under the EPA’s ACO. Once EPA releases this building to allow for the remediation, . . . the ACM remediation can continue.”

Please explain under what authority did Arsenal Associates proceed with the abatement of galbestos siding at Building 143.

Lastly, in a recent email from Mr. Hankin he erroneously listed Building 147A in the list of buildings in which no further inspection was required. EPA has no record of this building



ever being inspected nor has EPA ever excluded this building from the requirements to conduct a survey. Accordingly, as stated in the Survey Work Plan a comprehensive asbestos survey will need to be conducted for this building and the results include in the Survey Report.

If you have any questions regarding the contents of this letter and/or the Survey Work Plan please do not hesitate to call me at 215-814-2474.

Sincerely,

A handwritten signature in black ink, appearing to read "Donzetta Thomas". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Donzetta Thomas
Senior Assistant Regional Counsel

7.14.2011

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

IN THE MATTER OF: :
:
Hankin Management Inc. :
(a.k.a. Hankin Management Company) :
5301 Tacony Street, Suite 101 :
Philadelphia, Pennsylvania 19137 :
: Docket No. CAA-03-2011-0143DA
and :
:
Arsenal Associates :
(registered as Michael Markovitz, Trustee LLC) :
P.O. Box 26767 :
Elkins Park, Pennsylvania 19027 :
:
Respondents, :
:
Arsenal Business Center : Proceeding Under: Sections 113(a)
(Former Frankford Arsenal) : and 114(a) of the Clean Air Act,
2275 Bridge Street : 42 U.S.C. §§ 7413(a)(3)
Philadelphia, PA 19137 : and 7414(a)
:
Facility. :
:

RESPONSE TO ADMINISTRATIVE COMPLIANCE ORDER PARAGRAPH 55 F

Pursuant to Paragraph 55 F of the United States Environmental Protection Agency's
("EPA") Administrative Compliance Order ("ACO"), Arsenal Associates Limited
Partnership ("Arsenal Associates") submits the attached Survey Work Plan¹, delineating
how it proposes to perform a comprehensive asbestos survey at the Arsenal Business

¹ See Appendix A, The Survey Work Plan is submitted by Arsenal Associates Limited Partnership, only. Hankin Management, Inc. (a.k.a. Hankin Management Company) is neither an owner nor operator of the Arsenal Business Center nor of the "Facility" as defined in the ACO.

Center.² The Comprehensive Asbestos Survey ("CAS") will document all Asbestos Containing Material ("ACM") that:

1. Remains on Facility components including but not limited to basements, steam tunnels and pipe chases;
2. Has already been deposited into bags;
3. Has been removed or partially removed from the Facility;
4. Has otherwise been disturbed anywhere at the Facility, including but not limited to basements, steam tunnels and pipe chases³.

In general terms, the Survey Work Plan, see Appendix A, provides for the identification of ACM identified in all structures in the Facility including the steam tunnels and pipe chases ("Structure(s)"). In addition, the Survey Work Plan includes a listing and status update of all structures currently and/or previously located at the Facility. A certified asbestos inspector ("Consultant(s)") will perform the inspection for each structure.

Any future approved remediation work, which will be outlined in a separate Remediation Work Plan to be submitted pursuant to 55H of the ACO, will be performed pursuant to all applicable laws, rules and regulations. More specifically, the Remediation Work Plan will provide for the preparation of a request for proposal ("RFP") for submission to qualified and certified asbestos remediation contractors (the "Contractor(s)") for bidding purposes and the submission, review and analysis of all such bids, after which Arsenal Associates will award the contract to the successful bidding Contractor(s) for the

² Demolition and renovation at the Arsenal Business Center will proceed only if Arsenal Associates determines that The Shopping Center at the Arsenal is feasible, affordable and in its best interests.

³ The surveys will address the condition of ACM in each structure, but the Consultant will not be able to determine the condition of ACM prior to the survey.

future remediation of all ACM by the Contractor(s) (the "Remediation Contract") under the watchful eye of the Consultant's asbestos inspectors, followed by the demolition of all such Structures to the extent that Arsenal Associates goes forward with the demolition.

However, Arsenal Associates confirms and each Contractor has been informed that **no remediation and/or demolition work** shall proceed without express written consent from EPA.⁴ Further, during any future approved demolition, the Consultant's certified asbestos inspectors will review the process to ensure that any ACM not previously identified will be properly identified, remediated and disposed of in accordance with all applicable laws, rules and regulations. Id.

I. BACKGROUND INFORMATION

The Arsenal Business Center consists of two sections, the Northern Portion (the "Facility"), and the Southern Portion (the "Southern Section"). The Facility consists of approximately 50 buildings (some of which are small shacks), all of which are slated to be demolished in connection with the development of a shopping center to be known as The Shopping Center at the Arsenal.

The Facility consists of buildings that formed a portion of the former Frankford Arsenal, a former United States Military installation that originally opened in 1820 and closed in 1976. In its more than 150 years of continuous operation, the Frankford Arsenal served as a munitions storage facility and, subsequently, a munitions manufacturing and storage facility for the U.S. Army. In 1981, the General Services Administration (the "GSA") attempted, unsuccessfully, to auction the property. Ultimately, in 1983, the GSA, on behalf of the United States, at a public auction sold approximately an eight-five (85)

⁴ Pursuant to Paragraph 55 of the ACO, every on-site structure is still subject to the cease and desist order. EPA has advised Arsenal Associates that the cease and desist order will be lifted on a structure-by-structure basis and in writing.

acre portion of the one hundred fifteen (115) acre Frankford Arsenal to an entity known as Shetland Properties ("Shetland"). After becoming the successful bidder and prior to Closing, Shetland determined not to complete the purchase of the Frankford Arsenal property. A group consisting of Daniel Tabas of Tabas Enterprises, Jack Rittenhouse, Charles Bushar of Bushar Real Estate and a partnership involving Mark Hankin entered into negotiations with Shetland to purchase the Frankford Arsenal. Ultimately, the other three (3) prospective partners did not complete the transaction and a new partnership known as Arsenal Business Center Associates purchased the Frankford Arsenal from Shetland during a simultaneous Closing with the GSA and renamed the property the Arsenal Business Center (the "Arsenal"). In connection with the Auction Bid Package, the GSA represented that the property had been decontaminated and released for unrestricted use. Additionally, the GSA conditioned the sale providing that the United States government could not be sued by the purchaser or subsequent owners of the property for any reason including the significant contaminated condition in which the property was left.

In order to fund the purchase of the property, the City of Philadelphia agreed to make a low interest loan in the amount of \$3.5 million. Mellon Bank agreed to make two tax-free loans in the amount of \$3 million and \$3.5 million, respectively. Arsenal Business Center Associates raised additional capital contributions of approximately \$9 million over a six year period of time in connection with four syndication offerings with over one hundred (100) limited partner investors. As part of the syndications, Arsenal Associates Limited Partnership ("Arsenal Associates") was formed. Environmental studies performed by Arsenal Associates and others over the years revealed that, notwithstanding the GSA's representation that the property had been decontaminated and released for unrestricted use,

the property remained significantly contaminated with Polychlorinated Biphenyls ("PCBs") and Volatile Organic Compound ("VOC") contaminated soils, PCB contaminated transformers, and ACM within buildings, steam tunnels and other Structures, among other contaminants. Over the years, certain inspections and assessments of the land and buildings have been performed by the United States Army Corps of Engineers ("USACE") and, to a much lesser extent, Arsenal Associates and others to identify potential environmental concerns. After over 12 years, Arsenal Associates was able to have the Facility rezoned from "G2 – Industrial" to "C3 – Commercial" to permit the development of the Facility as the proposed new Shopping Center at the Arsenal. In 1998, the USACE assumed responsibility for the soil and groundwater contamination that was left at the Frankford Arsenal and agreed in a written agreement with the Pennsylvania Department of Environmental Protection ("PADEP") to remediate all soil and groundwater contamination at the Frankford Arsenal. Although numerous environmental studies were performed at the Frankford Arsenal by the USACE over the years, it was unable to acquire the necessary funding to perform any significant environmental remediation. As a result of the efforts of Arsenal Associates, federal funding in the amount of \$3,200,000 was acquired in 2009 and 2010 for the USACE to perform soil and groundwater remediation and cleanup at the Facility.

II. THE SHOPPING CENTER PROJECT

In July 2010, demolition began at the Facility to make way for a 500,000 +/-square foot shopping center complex known as The Shopping Center at the Arsenal (the "Project"), which will serve the Northeast Philadelphia communities and beyond. This Project has received full support from former Pennsylvania Governor Edward Rendell,

former Senator Arlen Specter, Philadelphia Mayor Michael Nutter, Former U.S. Representative Robert Borski, U.S. Representative Allyson Schwartz (PA-13th), Philadelphia Councilwoman Joan Krajewski, Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health, Addison (Tad) D. Davis as well as many other elected officials from the state and federal governments. This \$60 million +/- Project has been endorsed by the community and local business and civic associations. It is expected to create at least 250 construction jobs and approximately 900 permanent retail jobs upon its completion. Arsenal Associates has been working on the Project for well over 12 years. Arsenal Associates has been working on the redevelopment of the Arsenal for over 26 years. It has invested over \$35,000,000 in environmental remediation and building restoration. It currently has a commitment from the Commonwealth of Pennsylvania for a \$2,500,000 RACP Grant to cover a portion of the demolition of the Facility and \$1,300,000 in additional loan commitments to help fund the completion of the demolition [and remediation of the Facility]. Arsenal Associates has borrowed over \$8,000,000 over the last 26 years for this redevelopment of the Arsenal which balance is currently outstanding against this property and the Facility. The most recent appraisal of the property was performed in 2009 and valued the Arsenal at \$5,741,500. The City of Philadelphia has assessed the property at \$11,230,900.

Arsenal Associates committed to the Pennsylvania Historical and Museum Commission contribute all profits generated from the development of the Project in the Facility to the preservation of the historically important buildings and improvements in the Southern Section of the Arsenal. Indeed, the \$60 +/- million Project is key to preserving the historically important Southern Section consisting of more than 1,016,000 square feet

of space, 46 buildings, 24 businesses and over 2,500 occupants. In this connection, Arsenal Associates has agreed with the Pennsylvania Historical and Museum Commission and the Advisory Commission on Historical Preservation in Washington, D.C. that all such profits generated from the Project would be reinvested into the maintenance and preservation of the Certified Historic Structures in the Southern Section.

Respectfully Submitted,

BRAVERMAN KASKEY P.C.

By:

David L. Braverman, Esquire
Michelle S. Walker, Esquire
One Liberty Place
1650 Market Street, 56th Floor
Philadelphia, Pennsylvania 19103
Attorneys for Arsenal Associates, L.P.

Dated: August 10, 2011

APPENDIX A

SURVEY WORKPLAN

Pursuant to Paragraph 55 F of the United States Environmental Protection Agency's ("EPA") Administrative Compliance Order ("ACO"), Arsenal Associates Limited Partnership ("Arsenal Associates") submits this Survey Work Plan, delineating how it proposes to perform the comprehensive asbestos survey ("CAS") at the Northern Portion of the Arsenal Business Center. Specifically, this Survey Work Plan delineates: (1) contractor(s) selected for performance of CAS; (2) survey procedures to be followed; (3) structures to be surveyed; (4) structures already surveyed and ACM removed; (5) structures designated "imminently dangerous"; and (6) structures demolished.

I. CONTRACTOR(S) SELECTED FOR PERFORMANCE OF CAS

Paragraph 55G of the ACO required that Arsenal Associates notify the EPA, in writing, of the identity and qualifications of the contractors, sub-contractors, supervisory personnel and other persons who will be responsible for performing the CAS described in Paragraph F. On April 20, 2011 and May 12, 2011, Arsenal Associates provided EPA with a list of three proposed consultants: (1) Criterion Laboratories, Inc., (2) Synertech Incorporated, and (3) Eagle Industrial Hygiene Associates, Inc.. Each of these proposed consultants employ Certified Industrial Hygienists on staff. Since that time, Arsenal has consulted with Criterion Laboratories, Inc. ("Criterion") in preparation of this Survey Work Plan. Upon the receipt of the EPA's approval of this Survey Work Plan, Arsenal Associates intends to contract with Criterion for performance of the CAS. Arsenal's agreement with Criterion and/or the Contractors is included in a document entitled,

“Asbestos Management Services Agreement” (the "Consultant Agreement"), (See Exhibit

___)

II. SURVEY PROCEDURES TO BE FOLLOWED

As defined in the Consultant Agreement the CAS will document all ACM that is present in all existing buildings, tunnels and chases connected with each such building. It is expected that the CAS will confirm the presence or absence of tunnel entrances in the basements of the buildings surveyed. The work under the Consultant Agreement includes, but is not limited to, providing all equipment, labor and materials necessary to perform asbestos inspections, determine tunnel connections to buildings, determine how to address and prepare alternative method requests, develop RFPs and provide Contractor bid assistance, schedule, supervise and coordinate inspections by bidding Contractors and monitor the asbestos abatement project in connection with each such Structure. This work, together with any other activities performed by Criterion shall be performed in compliance with all applicable governmental laws, ordinances, regulations and rulings, including, the City of Philadelphia Asbestos Control Regulations (“ACR”). Pursuant to the Consultant Agreement, Criterion shall conduct a comprehensive survey of the Facility to identify materials suspected of being ACM. The CAS shall include, but is not limited to, a thorough inspection for thermal insulation as well as ceiling tiles, spray on material, transite wallboard and ceiling panels, floor tiles, plaster and drywall/joint compound as Criterion deems to be appropriate in accordance with standard industry practices and applicable laws, rules and regulations. The inspection shall also include surfaces above suspended ceilings or other non-permanent improvements, roofs, pipe tunnels, crawl spaces, vents, other tunnels or duct systems..

A. Bulk Sampling and Assessment

Criterion's EPA accredited asbestos building inspectors shall initially walk through each Structure to the extent accessible and make a determination of the presence of ACM. Immediately following, Criterion's building inspector shall inspect areas in a logical order, categorizing suspected ACM in homogeneous areas. Homogeneous areas are defined as material being uniform in texture, appearance and date of application. For each suspect homogeneous area, any ACM that may be present shall be documented on field data sheets and homogenous material sampled shall be photographed. The photographs shall be placed on a disk and labeled by Structure. If any suspected ACM is found, representative, bulk samples shall be taken per homogeneous area and analyzed to conclusively identify the presence, type and content of asbestos. Sampling will be performed in accordance with standard industry practices and in compliance with all applicable laws, rules and regulations, including, but not limited to the City of Philadelphia ACR. The following shall be documented on the bag: the job reference number, sample number location, inspector's name, date of sampling and the consultant's name. A picture will be taken of the location where each sample is taken. Photograph files will be included on the disk mentioned above and named in a manner that identifies them with the specific sample number/sample number location. If the presence of ACM is confirmed by bulk samples, the area of ACM will be measured in accordance with standard industry practices and all applicable laws, rules and regulations and such information will be provided to the Contractors. The quantity of materials shall be determined in the field by Criterion in accordance with the City of Philadelphia ACR. If ACM is encountered in tunnels, which are filled with water, it will be assumed that the quantity and types of ACM will be the

same as that on either side of the water filled portion of the tunnels. If it is determined that ACM is to be removed, once the water is cleared from the tunnels in accordance with approved methods, the amount of ACM shall be confirmed by field measurements by Criterion in accordance with the City of Philadelphia ACR. The condition of the ACM at each location will be specified in the CAS.

Based upon visual inspections, if Criterion determines that a particular area of a Structure may have ACM debris, Criterion shall perform sampling in accordance with standard industry practices and applicable laws, rules and regulations including, but not limited to, the City of Philadelphia ACR in order to confirm the size and extent of the area of potential contamination that needs to be remediated.

With respect to ACM that has been deposited in bags on site, including the bags found in Building 121, said bags will be documented and the location, condition, and amount of such shall be included in the CAS. With respect to other areas where suspect ACM may have been stored, including an area outside of Building 301 where Galbestos panels may have been stored, and areas outside of Building 64, as well as any location where suspect ACM pipes may have been stored, these areas will be visually inspected for ACM. If any suspected ACM is found, representative, bulk samples shall be taken per homogeneous area and analyzed to conclusively identify the presence, type and content of asbestos. Proper sampling techniques will be used in accordance with applicable laws, rules and regulations including, but not limited to, City of Philadelphia ACR. The following shall be documented on the bag: the job reference number, sample number location, inspector's name, date of sampling and the consultant(s)' name. A picture will be taken of the location where each sample is taken. Photograph files will be included on the

disk mentioned above and named in a manner that identifies them with the specific sample number/sample number location. Pictures will be taken of the work area prior to and after the completion of the work. The contents of all of the bags shall be properly wetted and resealed in accordance with the City of Philadelphia ACR and all applicable laws, rules and regulations.

Arsenal Associates intends to use the CAS to generate Asbestos Inspection Report(s) ("AIR(s)") for the acquisition of asbestos remediation and/or demolition permits from the City of Philadelphia to the extent that Arsenal Associates decides to go forward with demolition. Accordingly, (i) the Consultant conducting the CAS will also be a licensed Asbestos Investigator; (ii) all bulk sampling will comply with the requirements outlined in the ACR Sec. X and Sec. X.C; (iii) a Philadelphia-licensed and NVLAP-accredited laboratory, such as Criterion Laboratories, Inc., (one of our identified Consultants) will analyze samples; and (iv) the samples to be analyzed will follow the PLM protocol outlined in Asbestos Hazard Emergency Response Act ("AHERA"), 40 C.F.R. Part. 763.85, Subpart E.

B. Laboratory Analysis

The bulk samples shall first be examined for homogeneity and preliminary fiber identification and low magnification. Positive identification of suspected asbestos fibers shall be made by analysis of sub-samples with a polarized light microscope. Samples shall be analyzed in Criterion's in-house NVLAP accredited laboratory, or other outside NVLAP accredited laboratory, following the EPA recommended method for the determination of asbestos in bulk building materials. The types of fibers shall be

determined by the optical characteristics and a percentage range by volume of asbestos contained in the sample shall be quantified.

C. Survey Report

Upon completion of the CAS, assessment and laboratory analysis, a report (the "Report") shall be compiled which shall delineate locations and conditions of any ACM located throughout each Structure. The Report for each Structure shall comply with the ACR. Certificates of Analysis shall be provided for all samples analyzed. The Report will include bulk sample and results/logs and photo documentation of ACM found throughout each Structure.

The Report(s) will be submitted to the EPA on a rolling basis based on an expeditious schedule as outlined in Table 1 below. All surveys shall be completed within thirty (30) days of the date of approval of this Survey Work Plan. The Report(s) will include a comprehensive summary of the findings for each Structure including documentation of items that were sampled, but found to be negative for ACM as well as the AIR in accordance with the City of Philadelphia ACR.

The Survey Report for each Structure shall be submitted to the EPA on a rolling basis in the order in which the Consultant completes the surveys. It is anticipated that the average time to complete an inspection of each Structure should be approximately one (1) day with Reports to follow approximately one (1) week after the completion of each Structure inspection. It is anticipated that the surveys will be completed in the following order: Buildings 130, 149, 230, 231, 121, 123, 45, 57, 124, 125, 126, 127, 128, 235, 238, 59, 65, 147A, 301A, 301 and all tunnels, including, but not limited to Zone 1, 2, 3, 4, and 5, but the order may be modified based on the request of the demolition contractor in order

to ensure that it can maintain its workers and equipment on the Facility. In the event the order needs to be modified from that listed above, EPA will be notified , in writing, prior to any modification. Table 1, below, shall be completed and submitted to EPA within three (3) business days of the Survey Work Plan Approval.

Table 1. Expeditious Schedule for Completion of Surveys

Structure	Date Survey Scheduled	Date Survey Report to be Submitted
130		
149		
230		
231		
121		
123		
45		
57		
124		
125		
126		
127		
128		
235		
238		
59		
65		

147A		
301A		
301		
Zone 1 Tunnels		
Zone 2 Tunnels		
Zone 3 Tunnels		
Zone 4 Tunnels		
Zone 5 Tunnels		
Other Tunnels		

III. STRUCTURES TO BE SURVEYED

The CAS will document and identify all ACM found in Buildings 130, 149, 230, 231, 121, 123, 45, 57, 124, 125, 126, 127, 128, 235, 238, 59, 65, 147A, 301A, 301, all basements and all tunnels, including, but not limited to Zone 1, 2, 3, 4, and 5. The results from each CAS will be documented in the Survey Report to be submitted to EPA for approval.

Building #45

This building appears to contain a partial basement, a small crawlspace and possibly connections to two (2) tunnels. EPA has advised that pursuant to Paragraph 55 H(vi) of the ACO, for any structure which the Respondents believe to be structurally unsound, the Respondent's must obtain (1) a report signed by a PA licensed professional structural engineer (2) certifying that the entire structure is unsound (3) cannot be safely entered and (4) structure must be officially designated "imminently dangerous" under Title

4, Subcode PM of the Philadelphia Code. In accordance with the requirements of the ACO, Arsenal Associates had this building inspected by a licensed engineer who issued a letter of report stating that this building should be classified as Imminently Dangerous ("ID") by the City of Philadelphia. The engineer's inspection report was sent with a cover letter to the Department of Licenses & Inspections ("L & I") of the City of Philadelphia requesting that the building be classified as ID. A copy of the engineer's inspection report is attached hereto as Exhibit "___." L & I has stated that it is reluctant to issue an Imminently Dangerous classification for the building. The above notwithstanding, on June 30, 2011, Arsenal Associates, through the City of Philadelphia 3-1-1 hotline, filed a service request (case reference no. 1742124) to have Building #45 declared ID. If this building is not officially designated "imminently dangerous" pursuant to Paragraph 55H(vi) of the ACO, then a CAS will be performed and the results included in the Survey Report.

Building #57

Building #57 was inspected by Eagle in 2010 and an AIR dated May 14, 2010 was issued. A copy of the AIR is attached hereto as Exhibit "___". The AIR identified four (4) square feet of ceiling panels located on the second floor that required removal prior to demolition. Demolition Permit No. 285252 was issued on June 16, 2010. Prior to the commencement of demolition, personnel from AMS claimed that ACM in insignificant quantities might be present in the basement. As a result, AMS placarded the building so no further work could proceed. The building contains a basement and an entrance to a tunnel.

Building #59

No inspections or reports have been made or issued for this 850 sq. ft. building. It does not appear that this building has a basement or connections to any tunnels. This building is connected to the exterior stone wall surrounding the Facility.

Building #65

Building #65 was inspected by Eagle. Eagle issued an AIR dated June 30, 2010 which identified certain material that was determined to be NRN and 5 square feet of brown glue dots in the basement that required removal prior to demolition. Demolition Permit No. 289762 was issued on July 8, 2010. Apparently, subsequent to the issuance of the demolition permit but before demolition commenced, AMS personnel allegedly found an indeterminate amount of suspect ACM in the basement of the building. AMS placarded the building. The building has a basement and a possible entrance to one (1) tunnel.

Building #121

No demolition permits have been applied for or issued for this building. During an inspection by AMS personnel, the building was found to contain a partial basement and possible connections to two (2) tunnels. During that inspection, suspect ACM was found in plastic bags in the partial basement. The building has been placarded by AMS. The survey will include documentation of the bags located in this building.

Building #123

In 2010, Eagle inspected Building #123 and issued an AIR dated April 5, 2010. A copy of the AIR is attached hereto as Exhibit "___". The AIR identified certain material that was determined to be NRN and 250 square feet of vinyl asbestos floor tile in the northwest office that required removal. Eagle issued a subsequent report dated April 12, 2010

following the remediation reflecting that the air samples showed that the area was free of ACM. Demolition Permit No. 275237 was issued on May 13, 2010. Prior to the commencement of any demolition, AMS personnel claimed to have found bagged suspect ACM in the basement of the building and placarded the building. The building contains a basement and possibly two (2) connections to tunnels. The above referenced bags will either be relocated to a separate containment area which will be constructed by the Contractor in accordance with the City of Philadelphia ACR or the area in which the bags are located will be isolated as a separate containment area in accordance with the City of Philadelphia ACR. Each individual bag will be opened and properly wetted with amended water in accordance with the City of Philadelphia ACR. Each bag will then be resealed, placed in another plastic bag and properly sealed. The bags will be removed from the building and placed in a proper asbestos containment dumpster, removed from the site and properly delivered to a licensed asbestos disposal site in accordance with City of Philadelphia ACR and all other applicable laws, rules and regulations.

Building #124

No inspection reports have been prepared and no demolition permits have been sought or issued for this building. This notwithstanding, the building was inspected by AMS personnel, who determined that suspect ACM was present. As a result, AMS placarded this building. This building contains a basement and possibly two (2) connections to tunnels.

Building #125

No inspection reports have been prepared for this building. No demolition permits have been sought or issued. This building contains a basement and possibly one (1) connection to two (2) connected tunnels.

Building #126

In 2010, Building # 126 was inspected by Eagle and an AIR dated September 21, 2010 was issued. The AIR identified certain material that was determined to be NRN and 900 square feet of 9" floor tile (mastic non-acm) in the basement and 420 square feet of wall "transite" that required removal prior to demolition. A copy of the Building #126 AIR is attached hereto as Exhibit " ____ ". Prior to any remediation services being sought, AMS personnel performed an inspection of the building and claimed to have found some suspect ACM in the attic. As a result, AMS placarded the building. It appears that there may be one (1) connection to a tunnel. The building has a basement.

Building #127

No inspection reports have been issued for this building and no demolition permits have been sought. This building contains a basement. It may contain one (1) tunnel entrance.

Building #128

In 2010, Building #128 was inspected by Eagle and an AIR dated June 30, 2010 was issued. The AIR identified certain material that was determined to be NRN and five (5) square feet of cement panels on the first floor façade that required removal prior to demolition. A copy of the Building #128 AIR is attached hereto as Exhibit " ____ ". Demolition Permit No. 289758 was issued on July 14, 2010. Demolition had started on this

building which included the removal of copper electrical cable. This building was inspected approximately three (3) times by AMS personnel. During what is believed to be the last inspection, AMS personnel mysteriously appeared to have found a very small quantity of suspect ACM in an electrical cable shelf where no such material was found during any of the prior inspections. As a result, AMS placarded this building. Due to AMS' placarding, demolition has terminated on this building. This building contains a basement and no connections to steam tunnels. It does contain connections to two (2) different electrical tunnels.

Building #130

This "building" does not exist except as a tunnel access, which had been secured with plywood. AMS personnel inappropriately removed the secured plywood barricade thereby breaking the critical barrier (pictures were taken). There is access to a tunnel.

Building #147 A

No inspections or reports have been conducted or issued for this 137 sq. ft. building. It appears that there are no tunnel connections, tunnel entrances or basements associated with this building.

Building # 149

In 2010, Eagle inspected Building # 149 and issued its AIR dated April 16, 2010. The AIR identified certain material that was determined to be NRN. Demolition Permit No. 275241 was issued on May 13, 2010 and the building was completely demolished including the complete removal of the floor slab and footings. During the course of the demolition process, Eagle identified certain suspected ACM. The identified ACM was segregated by DVR, wetted and bagged for disposal. The bagged ACM is presently

located on-site in a DVR disposal container until such time as it is permitted to leave the Facility.

Building #230

Building #230 was inspected in 2010 by Eagle and found to contain no ACM material. A copy of the Building #230 AIR dated June 30, 2010 is attached hereto as Exhibit “___”. Demolition Permit No. 288750 was issued on July 2, 2010. Subsequent to the commencement of demolition, an inspection was made by AMS personnel who claimed to have found some suspect ACM in a tunnel or crawlspace between Buildings #230 and #231. As a result, AMS placarded the building and demolition has ceased. The building appears to have a crawlspace or tunnel connection to Building #231 and at least one (1) tunnel connection. It does not appear to have a basement.

Building #231

Building #231 was inspected in 2010 by Eagle. Eagle issued its AIR dated August 20, 2010. A copy of the AIR is attached hereto as Exhibit “___”. The AIR identified certain material that was determined to be NRN. Demolition Permit No. 297528 was issued on August 24, 2010 and demolition commenced thereafter. Subsequent to the commencement of demolition, AMS personnel inspected the building and claimed to have found small shards of suspect ACM containing floor tile under removed office partitions and some ACM insulation behind an office wall inside a masonry exterior wall⁵. Although Eagle would have had this handled under the normal procedures when ACM is encountered during demolition, AMS personnel placarded the building and demolition ceased. The building appears to have a crawlspace connection to Building #230 and a basement.

⁵ Two (2) Bulk samples, taken by EPA and analyzed by Criterion Laboratories, Inc. on April 19, 2011 from the basement of building 231 were found to be 20 and 25 percent, respectively, asbestos.

Building #235

Building #235 was inspected in 2010 by Eagle. Eagle issued an AIR dated April 19, 2010. A copy of the Building #235 AIR is attached hereto as Exhibit “___”. The AIR identified certain material that was determined to be NRN. Demolition Permit No. 275244 was issued on May 13, 2010 and demolition commenced. Subsequent to the commencement of demolition, AMS personnel claimed to have found suspect ACM in the building. The building was placarded by AMS and demolition was suspended. As with all other buildings, had Eagle observed any ACM during the demolition process, the demolition would have been suspended and the ACM removed in accordance with applicable regulations after which the demolition would have resumed. The building does not appear to have a basement. It appears to have two (2) tunnel connections.

Building #238

No inspections have been made of this building and no demolition permits have been sought. It appears that there is no basement or any tunnel connections associated with this building.

Building #301

An inspection of this building was undertaken by Eagle during which significant ACM was identified. This report is attached hereto as Exhibit “___”. Arsenal Associates is still trying to determine if this building should be classified as Imminently Dangerous. This inspection by Eagle included a combined inspection with Buildings 301A and 304. There are currently no separate inspections or Reports for Buildings 301 or 301A. Arsenal Associates is in discussions with the structural engineer and the potential Contractors. No

remediation or demolition permits have been sought. This building contains a basement and possibly four (4) tunnel entrances.

Building #301A

~~No inspections of this 1551 sq. ft. building have been undertaken and no demolition~~ permits have been sought. This building does not have a basement. It does not appear to have any tunnel connections. This inspection by Eagle included a combined inspection with Buildings 301A and 304. There are currently no separate inspections or Reports for Buildings 301 or 301A.

Comment [cec1]: As indicated in paragraph above, an inspection was performed concurrently with buildings 301 and 304. Attach report.

Tunnels

A general utility tunnel plan dated July 1, 1971 is attached hereto as Exhibit "Y". Upon information and belief, this tunnel plan, which was prepared for the US Army, was based upon prior documentation. Arsenal Associates is informed that no surveys were done, and that the plan was prepared prior to the division of the Frankford Arsenal into three separate tracts. At the time of Arsenal Associates acquisition of portions of the Frankford Arsenal, many of the Structures identified on the tunnel plan had already been demolished. EPA has advised that each of these structures (i.e. tunnels) must be a part of the CAS and will need to be surveyed in accordance with the procedure outlined in Section II of this Survey Work Plan. The results of the CAS for each structure (tunnel) will need to be included in the Survey Report.

Eagle inspected the tunnel between Building Nos. 55 and 64 and issued an RFP. The contract was awarded to Delta. Delta acquired an Asbestos Abatement Permit but the work has stopped, because AMS ordered the Contractors to cease working in the Facility and such work is not permitted under the EPA's ACO.

Eagle inspected the tunnel between Building Nos. 55 and 48 and issued an RFP. The contract was awarded to DVR. DVR applied for and received the necessary permit to complete the abatement, but AMS subsequently advised DVR that it could not proceed with the project and such work is not permitted to EPA's ACO. A copy of the executed contract with DVR is attached hereto as Exhibit "Z".

On April 28, 2011 and May 13, 2011, Eagle and the Contractors inspected the pipe tunnels in the Facility, divided the construction area into the following five (5) zones⁶. See Exhibit "I," a copy of which is attached hereto. Eagle then prepared the following RFPs:

1. **Zone 1** – Asbestos Containing Pipe Insulation removal and/or Pipe Tunnel

Comment [cac2]: It appears that some tunnels may be missing: tunnel between 53 and 64; between 55-48 and under 51 and 52.

Decontamination--

- a. Steam Tunnels, Building 55,
- b. Building 58 East Side to building 127 Tunnel Access,
- c. Building 52 East Side to the Shell of Building 46, North Side, and
- d. Building 57 Basement to the Basement of Building 123

(RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "J.")

2. **Zone 2** –Tunnels associated with 301 -308, 307-308 -- Eagle has inspected the main steam tunnel between Building No. 301 and Building No. 308 and the Pipe Tunnels under Building Nos. 307 and 308. Eagle issued specifications dated March 16, 2011, a copy of which is attached hereto as Exhibit "K."

3. **Zone 3** -- Asbestos Containing Pipe Insulation removal and/or Pipe Tunnel

Comment [cac3]: It appears that some tunnels may be missing: Tunnel between 148 - 149; tunnel connected to 251 and between 148/250/149.

Decontamination—

- a. Steam Tunnels, Building 150 to Building 149,

⁶ Notwithstanding, EPA has advised that each of these structures will need to be re-inspected in accordance with the procedure outlined in Section II of this Survey Work Plan.

- b. Building 248 to the Main Steam Tunnel Connecting Building 58 to Building 301

(RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "L").

4. **Zone 4** -- Asbestos Containing Pipe Insulation removal and/or Pipe Tunnel Decontamination—

- a. Steam Tunnel Building 45

(RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "M")

5. **Zone 5** -- Asbestos Containing Pipe Insulation removal and/or Pipe Tunnel Decontamination—

Comment (cac4): It appears that some tunnels may be missing. Between 120 and 121 and between 122-123.

- a. RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "N"

- i. Steam Tunnel, Craig Road,
- ii. Connectors from the Craig Road Tunnel to Buildings 228, 230 and 235

- b. RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "O"

- i. Steam Tunnels, Building 126 to Building 120,
- ii. Connectors to the Craig Road Tunnel

- c. RFP dated April 28, 2011, a copy of which is attached hereto as Exhibit "P"

- i. Steam Tunnels, Building 301 to 127 Access,
- ii. Building 235 Spur to the Main Steam Tunnel Connecting building 301 to 127 Access

An inspection by the Contractors was scheduled for April 29, 2011.⁷ We have received three (3) sets of proposals from three (3) separate City licensed Contractors for the removal of the ACM in each of the above-referenced Zones. Attached hereto as Exhibit “ “ are the three (3) proposals. Unfortunately, even the least expensive proposal estimated to cost \$ _____, which is beyond the funding available for this project. As a result, Arsenal Associates may propose an alternative method of handling ACM in tunnels in the Remediation Work Plan.

The tunnels were continually pumped free of water by a pumping system installed by the federal government. It would appear that the system has stopped functioning since the commencement of the demolition. To the extent possible, the system will be re-activated to clear the tunnels of water. An appropriate ACM filtering system will be installed at the discharge points.

IV. STRUCTURES ALREADY SURVEYED

The structures listed in this section have already been surveyed (Bldg 143) and/or the ACM has been removed (Bldgs 140, 148, 148A, and 304). These structures will not be a part of the Survey Report. However, upon approval of this Survey Work Plan, Arsenal will submit a work plan delineating when and how it proposes to either remediate any ACM and/or demolish these structures, including copies of all applicable permits. Arsenal acknowledges that remediation and/or demolition of these structures will not proceed until EPA issues specific approval for each structure. Such approval shall be in writing.

Building #140

⁷ A tunnel in the ground floor of Building #45 had previously been sealed by Arsenal Associates. This seal consisted of underlying plastic on top of which was plywood followed by another layer of plastic. However, as a result of a city inspection on April 21, 2011, the seal was broken.

This 158 sq. ft. building was inspected by Eagle and ACM was identified. A RFP was prepared under which a Contract was given to Delaware Valley Remediation ("DVR") for the removal of the identified ACM. In 2011, Eagle prepared a Final Report showing that the ACM had been removed from the building. A more recent AIR dated June 20, 2011 was prepared by Synertech, Inc. confirming that the building contains no ACM. A copy of the AIR is attached hereto as Exhibit "___". A demolition permit application was submitted to AMS for review on June 22, 2011. AMS personnel inspected this building on Friday, June 24, 2011. As a result, a demolition permit application was submitted to the L & I on Monday, June 27, 2011. Demolition Permit No. 349634 was issued on June 29, 2011. This building may have one (1) tunnel entrance. It does not appear to have a basement.

Building #143

Building #143 was inspected by Eagle in 2011 and certain ACM was identified. Eagle prepared a RFP and a Contract was given to DVR to remove the ACM. AMS approved the proposed ACM removal work, but the time frame for the commencement and completion of the project had passed due to the suspension of work under the EPA's ACO. Once the EPA releases this building to allow for the remediation, an updated NESHAP notification will be submitted so the ACM remediation can continue. This building does not have a basement or any tunnel entrances.

Building #148

This 942 sq. ft. building was inspected by one (1) of our Consultants, Eagle, and ACM was identified. An RFP was prepared under which a Contract was given to DVR for the removal of the ACM material. In 2011, Eagle prepared a Final Report showing that the

ACM had been removed from the building. A more recent AIR dated June 20, 2011 was prepared by Synertech, Inc. showing that the building contains no ACM. A copy of Synertech's AIR is attached hereto as Exhibit "____". A demolition permit application was submitted to AMS for review on June 22, 2011. AMS personnel inspected this building on Friday, June 24, 2011. As a result, a demolition permit application was submitted to L&I on Monday, June 27, 2011. Demolition Permit No. 349635 was issued on June 29, 2011. This building does not appear to have a basement, but it does appear to have an entrance to a tunnel.

Building #148 A

This 566 sq. ft. building was inspected by Eagle and ACM was identified. A RFP was prepared under which a Contract was given to DVR for the removal of the ACM. In 2011, Eagle prepared a Final Report showing that the ACM had been removed from the building. A more recent AIR dated June 20, 2011 was prepared by Synertech, Inc. showing that the building contains no ACM. A copy of Synertech's AIR is attached hereto as Exhibit "____". A demolition permit application was submitted to AMS for review on June 22, 2011. AMS personnel inspected this building on Friday, June 24, 2011. As a result, a demolition permit application was submitted to L & I on Monday, June 27, 2011. Demolition Permit No. 349637 was issued on June 29, 2011. This building does not appear to have a basement, but it does appear to have an entrance to a tunnel.

Building #304

This 652 sq. ft. building was inspected by Eagle and ACM was identified. Eagle prepared an RFP and a Contract was awarded to Delta/BJDS, Inc. ("Delta"). Prior to the removal of ACM by Delta, this building was placarded by AMS. Subsequent to the

placarding, ACM removal permits were issued, the ACM was removed and a Final Report was issued by Eagle. A copy of this report is attached hereto as Exhibit “___”. A demolition permit application was submitted to AMS for review on June 29, 2011. AMS personnel inspected this building on Thursday, June 30, 2011. As a result, a demolition permit application was submitted to L&I on June 30, 2011. Demolition Permit No. 350702 was issued on July 7, 2011. It does not appear that this building contains a basement or tunnel entrance.

V. STRUCTURES DESIGNATED AS “IMMINENTLY DANGEROUS”

Prior to the effective date of the ACO, the structures (Bldgs 58, 247, and 248) listed in this section were designated “imminently dangerous” by the City of Philadelphia Department of Licenses and Inspections (“L&I”). Based on this designation, Arsenal expects that the Contractor will be unable to inspect any of these structures for the presence of ACM. As a result, a CAS will not be performed and these structures will not be a part of the Survey Report. However, upon approval of this Survey Work Plan, Arsenal will submit a work plan delineating when and how it proposes to demolish these structures, including copies of all applicable permits. Arsenal Associates and its Contractors are aware that the work practice standards at 40 C.F.R. § 61.145 and the waste disposal standards at 40 C.F.R. § 61.150 apply to all ordered demolitions (including “ID” buildings), unless Arsenal Associates can demonstrate to EPA that that the structure contains less than the regulated amount of ACM or provide documentation that all RACM has been properly removed. EPA has advised that demolishing a building with unknown quantities of asbestos may result in construction debris commingling with asbestos, this means that significant portions of the construction debris or all construction debris from

that structure may need to be treated as asbestos-containing waste (see 40 CFR 61.150 (a)(3)). Arsenal confirms that demolition of these structures will not proceed until EPA issues specific approval for each structure. Such approval shall be in writing.

Building #58

An AIR dated April 1, 2010 was prepared and issued by Eagle which identified certain material that was determined to be NRN ("No removal necessary, label ACM" hereinafter referred to as "NRN"). A copy of the AIR is attached hereto as Exhibit " " Demolition Permit No. 270617 was issued on April 8, 2010. Approximately 50% of this building has been demolished down to the basement slab with piles of demolished construction material on portions of the basement floor slab and the remainder of the building is demolished to the first floor slab level which is approximately three (3) feet above the outside ground level.⁸ There may be two (2) tunnel entrances from the basement of this building. The remaining portion of the building has been classified as ID by the City of Philadelphia. The designation of the remaining portion of Building 58 as ID means that it cannot be inspected by the Consultant(s).

Building #247

This 880 sq.ft. building was classified as Imminently Dangerous. The ID classification was listed on Eagle's AIR dated February 9, 2011. A copy of the Building #247 AIR is attached hereto as Exhibit "___". Demolition Permit No. 326221 was issued on February 25, 2011 and, as of April 26, 2011, this Structure was being demolished by the demolition contractor with DVR simultaneously removing the identified ACM. However,

⁸ As the demolition was progressing, AMS personnel entered the remaining portion of the building through a small hole in the concrete floor and located a piece of suspect ACM pipe insulation at the bottom of the former steps to the basement. However, a picture from the Eagle Survey of this exact location showed no such suspect ACM being at that location. AMS placarded the building.

said work is currently on hold because DVR was directed by city inspectors to cease working at the Facility. Under such classification, demolition of the building commenced under the appropriate AMS permits and supervision of Eagle and with the participation of a Contractor to collect and dispose of any encountered ACM. While this process was underway, the EPA issued its ACO so the work has been suspended. The building has a basement and a possible tunnel connection.

Building #248

This 970 sq. ft. building was classified as Imminently Dangerous. The ID classification was listed on Eagle's AIR dated February 9, 2011. A copy of the Building #248 AIR is attached hereto as Exhibit "____". Demolition Permit No. 326218 was issued on February 25, 2011 and, as of April 26, 2011, this Structure was being demolished by the demolition contractor with DVR simultaneously removing the identified ACM. However, said work is currently on hold because DVR was directed by city inspectors to cease working at the site. Under such classification, demolition of the building commenced under the appropriate AMS permits and the supervision of Eagle and with the participation of a Contractor to collect and dispose of any encountered ACM material. While this process was underway, the EPA issued its ACO so the work has been suspended. The building has a basement and a possible tunnel connection.

VI. DEMOLISHED STRUCTURES

The structures listed in this section have already been demolished or are in the process of being demolished. For each of the structures identified below, demolition either occurred prior to the effective date of the ACO or demolition occurred after EPA expressly

excluded said structure from the ACO (i.e. in writing). These structures will not be a part of the Survey Report.

Building #44

Although Building #44 was included initially in the ACO, on May 24, 2011, the EPA released this building so that it could be demolished. The building was inspected by Eagle Industrial Hygiene Associates, Inc. ("Eagle"). In connection with Eagle's inspection and analysis, ACM was determined to be present in the building. As a result, a Contractor was hired to perform the ACM removal for which all appropriate permits were issued, the ACM removal project completed and a Final Report was issued. Demolition Permit No. 340320 was issued on May 12, 2011 (See the attached Exhibit "____") and the demolition of the building is now in progress. Based on inspections of Building #44, this building contains no basements, crawl spaces or connections to tunnels.

Building 47

Demolition Permit No. 322725 was issued on February 1, 2011. This building was released from the EPA's ACO so that demolition could proceed. The demolition permit was issued based upon a Final Clearance Inspection Report showing that all identified asbestos had been removed. The building has been demolished down to the first floor slab in accordance with applicable laws, rules and regulations. There may be contaminated soils under this building. The USACE has scheduled the removal of the soil in accordance with its agreement with the PADEP. The funding for the removal of the soil was acquired through the efforts of Arsenal Associates working together with former Senator Arlen Specter and Congresswoman Allyson Schwartz. The USACE has issued the enclosed letter advising, that if the work cannot commence shortly, the source of funding may be in

danger. The USACE does not want to start its remediation project until it can have access to all of the areas in which it believes there may be contaminated soils which include areas beneath Building 47, Building 48, Building 55, Building 230 and Building 231 and Building 235. Until the EPA releases these buildings for remediation and demolition, no soil and ground water remediation work by the USACE can commence. The concrete slab in this building will not be removed until just before the USACE starts the project in order to ensure that rain water does not cause migration of any potential contaminated soils.

Building 48A

Demolition Permit No. 323371 was issued for this building on March 24, 2011. The building has been demolished to the first floor concrete slab in accordance with applicable laws, rules and regulations. The slab has not been removed for the reasons specified in the write-up on Building 47 herein above.

Building 48B

Demolition Permit No. 323373 was issued for this building on March 24, 2011. The building has been demolished to the first floor concrete slab in accordance with applicable laws, rules and regulations. The slab has not been removed for the reasons specified in the write-up on Building 47 herein above.

Building 48C

Demolition Permit No. 323376 was issued for this building on March 24, 2011. The building has been demolished to the first floor concrete slab in accordance with applicable laws, rules and regulations. The slab has not been removed for the reasons specified in the write-up on Building 47 herein above.

Building 48D

Demolition Permit No. 323378 was issued for this building on March 24, 2011.

The building has been demolished to the first floor concrete slab in accordance with applicable laws, rules and regulations. The slab has not been removed for the reasons specified in the write-up on Building 47 herein above.

Building 48E

Demolition Permit No. 323381 was issued for this building on March 24, 2011.

The building has been demolished to the first floor concrete slab in accordance with applicable laws, rules and regulations. The slab has not been removed for the reasons specified in the write-up on Building 47 herein above.

WC⁹ Buildings 51-52

Demolition Permit No. 262009 was issued for these buildings on March 18, 2011.

These two-story buildings have been demolished down to the basement in accordance with applicable laws, rules and regulations. An ACM paper was found in the keyed joints of the foundation walls which tie the foundation wall slabs together at the column locations.

Arsenal Associates initially undertook a demolition process of excavating the outside of the foundation wall, breaking the middle of the foundation wall section between two keyed joints, laying plastic on the basement floor and then laying the ACM covered key joint on the plastic covered slab after which the Contractors followed the AMS approved removal process. This approach proved to be unacceptable as the ACM paper was pressed into the concrete as a result of the many years of it being in place. Arsenal Associates

⁹ "WC", as used herein above refers to the Withdrawable Convertible Real Estate, as such term is defined in the Declaration of Condominium - The Arsenal Condominium. Specifically, WC is the designation used by the City of Philadelphia Board of Revision of Taxes (now known as the Office of Property Assessment) to identify buildings which have not been assigned an individual OPA Account Number. Therefore, Arsenal Associates is using the term "WC" before those buildings which do not have individual OPA Account Numbers.

revised the approach to utilize a concrete saw to cut the concrete walls on both sides of the keyed joints and then removed the keyed section of concrete wall as contaminated material in accordance with all applicable laws, rules and regulations . This project was undertaken in conformance with all applicable regulations including, but not limited to, the ACR. This is the type of procedure that would have been followed for all suspected ACM encountered during the demolition of any of the Structures for which demolition permits had been issued.

WC Building 55

Demolition Permit No. 270609 was issued for this building on April 8, 2010. This building has been completely demolished in accordance with applicable laws, rules and regulations except for a small portion of the foundation walls located on the south side of the building where tunnels connect to the foundation walls.

WC Building 64

Demolition Permit No. 282291 was issued for this building on June 2, 2010. This building has been completely demolished in accordance with applicable laws, rules and regulations and back-filled with compacted ground or crushed concrete fill.

Building 120

Demolition Permit No. 270625 was issued for this building on April 8, 2010. The building has been demolished to the concrete slab in accordance with applicable laws, rules and regulations. As there may be two (2) tunnel entrances entering the building, demolition of the foundation walls adjacent to the possible tunnel entrances will be preserved pending resolution of the manner in which any suspected ACM in the tunnels will be addressed if the tunnels adjoining the foundation walls contain ACM.

Building 141

Demolition Permit No. 326757 was issued for this building on March 24, 2011.

The building has been completely demolished in accordance with applicable laws, rules, and regulations.

WC Building 141A

Demolition Permit No. 326759 was issued for this building on March 24, 2011.

The building has been completely demolished in accordance with applicable laws, rules, and regulations.

WC Building 142

Demolition Permit No. 326760 was issued for this building on March 24, 2011.

The building has been completely demolished in accordance with applicable laws, rules, and regulations.

WC Building 142A

Demolition Permit No. 326761 was issued for this building on March 24, 2011.

The building has been completely demolished in accordance with applicable laws, rules, and regulations.

WC Building 150

Demolition Permit No. 289755 was issued for this building on July 14, 2010. The

building has been completely demolished and all foundation walls and footings have been removed in accordance with applicable laws, rules and regulations.

Building 224

Only a portion of this building is in the Facility. Demolition Permit No. 288752 was issued for this building on July 2, 2010. The building has been demolished and the

first floor slab has been removed in accordance with applicable laws, rules and regulations. There is no basement in this building. There does not appear to be any tunnels leading to this building. The ACM paper described in the foundation walls for Buildings 51-52 was also found in a portion of this building. The same removal process is being undertaken as was ultimately used for the keyed joints in the foundation walls at the column locations at Buildings 51-52.

WC Building 228

Demolition Permit No. 275243 was issued for this building on May 13, 2010. This building has been demolished to the first floor in accordance with applicable laws, rules and regulations.

WC Building 250

Demolition Permit No. 275247 was issued for this building on May 13, 2010. This building has been completely demolished in accordance with applicable laws, rules and regulations including the foundation walls and footings.

WC Building 307

Demolition Permit No. 270623 was issued for this building on April 8, 2010. This building has been completely demolished in accordance with applicable laws, rules and regulations except for the access to the two (2) small tunnels.

Building 308

Demolition Permit No. 317585 was issued for this building on December 22, 2010. This building has been completely demolished in accordance with applicable laws, rules and regulations including the footings and foundation walls except for access to one tunnel.